**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1423 OF 2007**
**IN**
**APPEAL NO.281 OF 2007**
**IN**
**SUIT NO.1453 OF 1993**

Messes Popular Construction ..Applicant

Vs.

Canning Mitra Phoenix Pvt.Ltd. ..Respondent

Ms.Bhadra Dalal, A.P.P. for the Applicant.
Ms.Saumya Srikrishnan i/b.Kanga & Co. for the Respondent.

**CORAM :- DR.S.RADHAKRISHNAN &**
**V.C.DAGA, JJ.**

**DATE : 24TH APRIL, 2007**

**P.C.**

1. Heard the learned Counsel for the parties.

The learned Counsel for the Applicant seeks leave to withdraw the above Notice of Motion and file proper Notice of Motion. Accordingly, the Notice of Motion is allowed to be withdrawn and dismissed as such with the aforesaid liberty.

**(V.C.DAGA,J.)** **(DR.S.RADHAKRISHNAN,J.)**